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OFFICE OF PETITIONS

In re Application of :
Milligan, et al. :
Application No.: 10/791,205 :
Filed: March 2, 2004 :
Attorney Docket No.: 2003-023-DSK :
For: CANISTER-BASED STORAGE SYSTEM :

**DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)**

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed October 21, 2005 (certificate of mailing date October 19, 2005).

The petition is **GRANTED**.

Petitioners have shown that the non-signing inventor, Jacques Debiez, has unequivocally refused to join in the filing of the above-identified application. Specifically, the statement of facts of Charles Milligan establishes that during a meeting with Mr. Milligan on August 25, 2005, the inventor declared (1) that would neither receive nor read documents from the assignee and (2) that all contact with him must be carried out through his attorney. Petitioners have attempted to contact Mr. Debiez' attorney with the application papers on 10 occasions without any success. Given these facts, further attempts to gain Mr. Debiez' cooperation would be fruitless. Petitioners have submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2841 for examination in due course.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is fluid and cursive, with a large initial "E" and a stylized "W".

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

cc: MARK D. CHUEY
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LETTER OFFICE OF PETITIONS

Dear Mr. Debiez:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, the contact person listed below would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3230.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

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